

VOIR DIRE PROCEDURES IN DEPARTMENT 19

Before Voir Dire:

1. The bailiff or clerk will provide counsel with a list of the court's general voir dire questions (which are also available on the court's website) and jury seating charts.
2. Counsel may submit proposed general voir dire questions they wish the court to ask.
3. In civil cases, counsel shall submit a proposed, written brief summary of the case to be read to the jurors at the beginning of voir dire.
4. Counsel and the court will decide the length of time for each counsel's questioning of the panel.
5. Counsel and the court will decide the size of the panel and the number of alternate jurors.

Juror Questionnaires:

6. Because juror questionnaires are public documents and may be sealed in the court file only after special findings (See State v. Coleman, 151 Wn. App. 614 (2009)), the court rarely uses juror questionnaires.

Assignment of a Jury Panel:

7. We receive from the jury room a randomized list of jurors and the juror information sheets.
8. Each juror is assigned a number, beginning with the number one. Each juror has only this number and this is the number used during voir dire. Each juror will receive a large card showing his/her number and it's important that counsel identify the number of the juror being questioned to preserve an accurate record.

The Procedure Upon Arrival of the Panel:

9. The jurors are brought into the courtroom by the bailiff. Jurors one through thirteen are seated in the jury box (lower left corner is number one, upper left corner is number seven). The remaining jurors sit on the benches starting with number fourteen in the first row on the left.
10. The judge reads the introductory remarks, the jurors are sworn to answer questions and the court asks general voir dire questions.

Procedure for Voir Dire:

11. During the court's general voir dire questions the court inquires if jury service will present an undue hardship and determines which, if any, of the jurors should be excused for hardship.
12. Each counsel may inquire of the entire panel for the predetermined length of time. Each party is normally allowed two segments and may reserve whatever time is not used in the first segment for the second.

13. The sole purpose of voir dire is to elicit information that will enable the parties to make an informed exercise of peremptory challenges and challenges for cause. Questions are governed by the following general rules:
 - a. Questions must be reasonable;
 - b. Questions are proper which are probative of and germane to the particular ground of possible disqualification disclosed by the juror;
 - c. Inquiry is proper as to employment, business, experience or feelings and beliefs of any juror where the juror's special knowledge, sympathy or bias could reasonably affect his/her ability to be impartial;
 - d. Questions may not be used solely to establish rapport with a juror;
 - e. Questions should not be repetitious, embarrassing or unfair;
 - f. Argumentative questions are improper, especially if designed to present a party's view of the case; and
 - g. Asking a juror to speculate on his or her verdict if certain facts are proved is improper.
14. Challenges for cause should be made at the time they arise.
15. At the end of the inquiry by counsel each party exercises its peremptory challenges, alternating between parties until the jurors in the jury box are accepted by all parties. The challenges are made in open court and are to be directed at the jurors in the box only.
16. As jurors are challenged and excused from the box, remaining members of the panel are assigned to the vacated seats in order of the juror numbers.
17. After the jurors in the box are accepted the remaining jurors are excused.
18. The alternate jurors are randomly chosen prior to the jury selection process. The jurors are not advised whether or not they are sitting in an alternate capacity. When more than one alternate is selected, the order in which the alternates replace a disabled juror is determined randomly.